

EXHIBIT 15

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

STAN LEE,

PLAINTIFF,

VS.

MARVEL ENTERPRISES, INC.; ET AL.,

DEFENDANTS.

CASE NO. 02-CV-8945 (RSS)

DEPOSITION OF STAN LEE

NOVEMBER 18, 2003

KELLI C. NORDEN
CSR 7200
12782

Kelli Norden and Associates
COURT REPORTERS
11726 SAN VICENTE BOULEVARD, SUITE 205
LOS ANGELES, CALIFORNIA 90049
(310) 820-7733 FAX (310) 820-7933

DEPOSITION OF STAN LEE

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

STAN LEE,)
)
PLAINTIFF,)
)
VS.) CASE NO. 02-CV-8945
) (RSS)
MARVEL ENTERPRISES, INC.,)
AND MARVEL CHARACTERS,)
INC.,)
)
DEFENDANTS.)
)

DEPOSITION OF STAN LEE, TAKEN ON
BEHALF OF THE DEFENDANTS, AT 515
SOUTH FLOWER STREET, 25TH FLOOR,
LOS ANGELES, CALIFORNIA, COMMENCING
AT 10:09 A.M., TUESDAY, NOVEMBER 18,
2003, BEFORE KELLI C. NORDEN, CSR
NUMBER 7200.

DEPOSITION OF STAN LEE

1 APPEARANCES OF COUNSEL:

2

3 FOR THE PLAINTIFF:

4 DICKSTEIN SHAPIRO MORIN & OSHINSKY
BY: JUDITH R. COHEN, ESQ.

5 - AND -

6 ARTHUR LIEBERMAN, ESQ.

7 - AND -

8 HOWARD GRAFF, ESQ.

9 1177 AVENUE OF THE AMERICAS

10 NEW YORK, NEW YORK 10036-2714

11 212.896.5414

12 COHENJ@DSMO.COM

13

14

FOR THE DEFENDANTS:

15

16 PAUL, HASTINGS, JANOFSKY &
17 WALKER, L.L.P.

18 BY: DAVID FLEISCHER, ESQ.

19 - AND -

20 JODI AILEEN KLEINICK, ESQ.

21 75 EAST 55TH STREET

22 NEW YORK, NEW YORK 10022

23 212.318.6751

24 JODIKLEINICK@PAULHASTINGS.COM

25

26

ALSO PRESENT:

27

28 ELI BARD, ESQ., MARVEL ENTERPRISES

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30 LISA LEVOTE, LEGAL VIDEO SERVICES

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DEPOSITION OF STAN LEE

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INFORMATION REQUESTED:

(NONE)

QUESTIONS UNANSWERED BY THE DEPONENT:

(NONE)

DEPOSITION OF STAN LEE

10:08:49 1 PERMIT MR. LIEBERMAN TO ATTEND THE DEPOSITION, BUT
10:08:53 2 THAT MR. LIEBERMAN WOULD NOT BE PERMITTED TO
10:08:56 3 PARTICIPATE OR CONFER WITH THE WITNESS DURING THE
10:08:59 4 COURSE OF THE DEPOSITION; AND THAT IF THE
10:09:03 5 DEFENDANT WAS SO ADVISED AT SOME LATER POINT IN
10:09:07 6 THE CASE, THE DEFENDANT COULD MOVE TO DISQUALIFY
10:09:12 7 COUNSEL.

10:09:13 8 AND WITH THAT NOTATION, I THINK
10:09:16 9 WE'RE READY TO BEGIN.

10

11

EXAMINATION

10:09:17 12 BY MR. FLEISCHER:

10:09:17 13 Q. GOOD MORNING, MR. LEE.

10:09:18 14 A. GOOD MORNING.

10:09:20 15 Q. IF ANY OF THE QUESTIONS I MAY ASK
10:09:22 16 DURING THE COURSE OF THE DEPOSITION ARE UNCLEAR TO
10:09:25 17 YOU OR IN ANY WAY CONFUSING, PLEASE LET ME KNOW
10:09:31 18 AND I'LL TRY TO REPHRASE THE QUESTIONS SO THEY ARE
10:09:34 19 CLEAR.

10:09:35 20 A. THANK YOU.

10:09:39 21 Q. MR. LEE, WHEN WAS THE FIRST TIME

10:09:42 22 THAT YOU HAD ANY CONNECTION WITH MARVEL OR ANY OF
10:09:44 23 ITS PREDECESSOR COMPANIES?

10:09:46 24 A. EITHER LATE '39 OR EARLY '40.

10:09:48 25 Q. AND WHAT WAS THE FIRST POSITION YOU

DEPOSITION OF STAN LEE

10:09:51 1 HAD WITH MARVEL OR ONE OF ITS PREDECESSORS?

10:09:55 2 A. WELL, I WAS REALLY AN ASSISTANT TO
10:09:57 3 THE EDITOR AND THE HEAD ARTIST. ACTUALLY, THE
10:10:03 4 ONLY ARTIST. AND AFTER A SHORT TIME, I BECAME A
10:10:11 5 COPYWRITER.

10:10:11 6 Q. NOW, THE EDITOR AT THAT TIME WAS
10:10:13 7 WHO?

10:10:13 8 A. JOE SIMON.

10:10:15 9 Q. AND HOW LONG WERE YOU MR. SIMON'S
10:10:24 10 ASSISTANT?

10:10:25 11 A. GEE, I DON'T KNOW. A YEAR OR SO.

10:10:33 12 Q. AND WHAT HAPPENED AFTER THAT YEAR
10:10:34 13 AS MR. SIMON'S ASSISTANT?

10:10:37 14 A. WELL, AT SOME POINT, MR. SIMON AND
10:10:40 15 MR. KIRBY, THE ARTIST, THEY WERE DISMISSED FROM
10:10:42 16 THE COMPANY AND I WAS THE ONLY ONE LEFT. SO I
10:10:45 17 BECAME THE EDITOR JUST BECAUSE THERE WAS NOBODY
10:10:51 18 ELSE.

10:10:51 19 Q. AND TO WHOM DID YOU REPORT IN THAT
10:10:53 20 CAPACITY?

10:10:53 21 A. THE PUBLISHER, MARTIN GOODMAN.

10:10:58 22 Q. AND HOW LONG DID YOU REMAIN IN THE
10:11:00 23 POSITION OF EDITOR OF MARVEL'S PREDECESSOR?

10:11:09 24 A. TILL ABOUT 1970.

10:11:11 25 Q. WAS THERE A TIME DURING WHICH YOU

DEPOSITION OF STAN LEE

10:11:12 1 ENTERED THE MILITARY SERVICE?

10:11:19 2 A. YES. I BELIEVE IT WAS -- LET'S

10:11:20 3 SEE. I GOT OUT IN '45 AND I WAS THERE FOR THREE

10:11:23 4 YEARS, SO IT MUST HAVE BEEN 1942.

10:11:26 5 Q. SO DURING THAT TIME, I ASSUME YOU

10:11:27 6 DIDN'T FUNCTION AS THE EDITOR OF MARVEL?

10:11:29 7 A. NO. I GOT A REPLACEMENT FOR THOSE

10:11:31 8 THREE YEARS, BUT I DID WRITE FOR MARVEL.

10:11:39 9 Q. DURING THOSE THREE YEARS?

10:11:41 10 A. UH-HUH. YES.

10:11:42 11 Q. AND WHAT DID YOU WRITE, IF YOU CAN

10:11:44 12 RECALL?

10:11:45 13 A. COMIC STRIPS.

10:11:47 14 Q. DID YOU CREATE ANY CHARACTERS

10:11:49 15 DURING THOSE THREE YEARS THAT WERE PUBLISHED BY

10:11:53 16 MARVEL?

10:11:53 17 A. NO, I DON'T THINK SO. I THINK I

10:11:55 18 WROTE STORIES ABOUT EXISTING CHARACTERS.

10:11:57 19 Q. DO YOU RECALL WHAT THE NAMES OF

10:11:58 20 THOSE EXISTING CHARACTERS WERE?

10:12:00 21 A. NO. WELL, PROBABLY CAPTAIN AMERICA

10:12:03 22 AND A LOT OF OTHERS. I DON'T EVEN REMEMBER THE

10:12:17 23 NAMES.

10:12:17 24 Q. IN CONNECTION WITH YOUR WORK IN

10:12:19 25 COMICS, MR. LEE, WHAT ASPECT OF COMIC BOOK WORK IS

DEPOSITION OF STAN LEE

10:15:01 1 A. I DON'T THINK I DID. NOT THAT I
10:15:03 2 CAN REMEMBER.

10:15:08 3 Q. WOULD YOU BASICALLY DESCRIBE YOUR
10:15:10 4 DUTIES AND RESPONSIBILITIES AS THE EDITOR OF
10:15:14 5 MARVEL OR ITS PREDECESSOR COMPANY AT THE TIME THAT
10:15:18 6 YOU RESUMED THAT POST AFTER RETURNING FROM
10:15:21 7 MILITARY SERVICE IN OR ABOUT 1945.

10:15:26 8 A. WELL, IT WAS MY JOB TO DETERMINE
10:15:29 9 WHAT SCRIPTS -- ALONG WITH THE PUBLISHER, MARTIN
10:15:34 10 GOODMAN, TO DETERMINE WHAT STRIPS WE WOULD
10:15:36 11 PUBLISH, WHAT MATERIAL WE WOULD PUBLISH.

10:15:38 12 ONCE THAT DETERMINATION WAS MADE,
10:15:42 13 IT WAS UP TO ME TO HIRE THE ARTIST, TO EITHER
10:15:46 14 WRITE THE STORY MYSELF OR HIRE A WRITER.

10:15:50 15 IF I HIRED A WRITER, TO MAKE SURE
10:15:53 16 THAT HE WROTE THE STORY THE WAY I WANTED HIM TO
10:15:56 17 AND TO ALSO HIRE THE LETTERERS, THE INKERS, THE
10:16:01 18 COLORISTS, AND GENERALLY, TO MAKE SURE THAT THE
10:16:03 19 WORK WAS AS GOOD AS IT COULD BE.

10:16:09 20 Q. WAS THERE ANY DIFFERENCE IN THE WAY
10:16:10 21 YOU WERE COMPENSATED FOR WORK THAT YOU DID ON A
10:16:17 22 PARTICULAR SERIES OF COMIC BOOKS WHERE YOU HAD
10:16:23 23 CREATED THE STORY, WRITTEN THE STORY YOURSELF, AS
10:16:26 24 OPPOSED TO EDITING THE STORY WRITTEN BY SOMEONE
10:16:28 25 ELSE?

DEPOSITION OF STAN LEE

10:16:28 1 A. COULD YOU SAY THAT AGAIN?

10:16:31 2 Q. WERE YOU PAID ANY DIFFERENTLY IN
10:16:32 3 YOUR CAPACITY AS A WRITER VERSUS AN EDITOR?

10:16:35 4 A. OH, YES. AS AN EDITOR, I RECEIVED
10:16:38 5 A SALARY, BUT I HAD ALWAYS BEEN PAID FOR EVERY
10:16:44 6 STORY I WROTE AS THOUGH I WERE A FREELANCER. I
10:16:50 7 GOT PAID BY THE PAGE, AS ALL THE FREELANCERS DID
10:16:56 8 ALSO.

10:16:59 9 Q. OKAY. CAN YOU RECALL THE NAMES OF
10:17:01 10 THE CHARACTERS, TO THE EXTENT POSSIBLE, IN
10:17:06 11 CHRONOLOGICAL ORDER, THAT YOU WERE INVOLVED IN
10:17:11 12 CREATING AS A WRITER?

10:17:14 13 A. WE'D BE HERE ALL DAY, BUT I CAN --
10:17:18 14 MILLIE THE MODEL, ZIGGY PIG AND SILLY SEAL AND, I
10:17:25 15 THINK, THE DESTROYER.

10:17:29 16 AND YOU KNOW, THERE WERE SO MANY
10:17:33 17 AND I NEVER KNEW I'D BE QUESTIONED ABOUT IT HALF A
10:17:37 18 CENTURY LATER THAT I DIDN'T --

10:17:39 19 I DID SUPERHEROES; I DID WESTERN --
10:17:42 20 THERE WAS KID COLT OUTLAW; THERE WAS THE BLACK
10:17:47 21 RIDER; THERE WAS THE BLACK KNIGHT, THE TWO-GUN
10:17:54 22 KID, COMBAT KELLY, COMBAT CASEY, FLOOP AND
10:18:05 23 SKILLYBOO.

10:18:06 24 I MEAN, I COULD GO ON ALL MORNING.
10:18:08 25 I DID LITERALLY HUNDREDS OF WESTERNS, WAR STORIES,

DEPOSITION OF STAN LEE

10:19:01 1 TOWARDS THE LATTER PERIOD, WHEN WE
10:19:04 2 WERE HEAVILY INVESTED IN SUPERHEROES AND WHEN I
10:19:07 3 CHANGED THE NAME OF THE COMPANY TO "MARVEL COMICS"
10:19:13 4 AND WE DID THE STORIES THAT ARE NOW PRETTY WELL
10:19:15 5 KNOWN OR THE CHARACTERS THAT ARE WELL KNOWN, THERE
10:19:19 6 WERE A FEW ARTISTS THAT I WORKED WITH MORE THAN
10:19:21 7 OTHERS.

10:19:21 8 THERE WAS JACK KIRBY, STEVE DITKO,
10:19:26 9 JOHN ROMITA, GIL KANE, JOHN BUSCEMA AND A FEW
10:19:41 10 OTHERS.

11 BY MR. FLEISCHER:

10:19:41 12 Q. FOCUSING ON THE SUPERHERO GENRE --

10:19:45 13 A. UH-HUH.

10:19:46 14 Q. -- WOULD YOU IDENTIFY THE
10:19:49 15 CHARACTERS THAT YOU CONSIDER THE MOST ENDURING
10:19:52 16 THAT YOU CREATED AS A WRITER.

10:19:53 17 MS. COHEN: OBJECT TO FORM.

10:19:54 18 YOU MAY ANSWER.

10:19:56 19 THE DEPONENT: SPIDER-MAN, THE
10:19:59 20 X-MEN, THE INCREDIBLE HULK, DAREDEVIL, THE
10:20:09 21 FANTASTIC FOUR, IRON MAN, SERGEANT FURY AND HIS
10:20:17 22 HOWLING COMMANDOS, NICK FURY, AGENT OF SHIELD,
10:20:25 23 DOCTOR STRANGE, THE SILVER SURFER.

10:20:32 24 THOSE ARE THE ONES THAT COME TO
10:20:33 25 MIND RIGHT NOW.

1 STATE OF CALIFORNIA)
2) SS.
3 COUNTY OF LOS ANGELES)
4

5 I, KELLI C. NORDEN, CERTIFIED
6 SHORTHAND REPORTER, CERTIFICATE NUMBER 7200,
7 FOR THE STATE OF CALIFORNIA, HEREBY CERTIFY:

8 THE FOREGOING PROCEEDINGS WERE TAKEN
9 BEFORE ME AT THE TIME AND PLACE THEREIN SET FORTH,
10 AT WHICH TIME THE DEPONENT WAS PLACED UNDER OATH BY
11 ME;

12 THE TESTIMONY OF THE DEPONENT AND ALL
13 OBJECTIONS MADE AT THE TIME OF THE EXAMINATION WERE
14 RECORDED STENOGRAPHICALLY BY ME AND WERE THEREAFTER
15 TRANSCRIBED;

16 THE FOREGOING TRANSCRIPT IS A TRUE AND
17 CORRECT TRANSCRIPT OF MY SHORTHAND NOTES SO TAKEN;

18 I FURTHER CERTIFY THAT I AM NEITHER
19 COUNSEL FOR NOR RELATED TO ANY PARTY TO SAID ACTION,
20 NOR IN ANY WAY INTERESTED IN THE OUTCOME THEREOF.

21 IN WITNESS WHEREOF, I HAVE HEREUNTO
22 SUBSCRIBED MY NAME THIS 1st DAY OF December,
23 2003.

24 Kelli C. Norden
25